

CITY COUNCIL - PRE-MEETING 6:30 P.M. TO 7:00 P.M.

Natchitoches City Council will have a pre-council meeting beginning at 6:30 p.m. and ending at 7:00 p.m. to discuss any non-agenda items. The City Council meeting will begin promptly at 7:00 p.m. on the second and fourth Monday of each month and will be reserved to only items on the Agenda. The public is invited to both the pre-council meetings and council meetings with the understanding that items not on the agenda will not be discussed at the scheduled council meetings, but the public is welcome to discuss any topic at the pre-council meetings.

NATCHITOCHES CITY COUNCIL MEETING APRIL 9, 2012 7:00 P.M.

A G E N D A

1. **CALL TO ORDER**
2. **INVOCATION**
3. **PLEDGE OF ALLEGIANCE**
4. **READING AND APPROVAL OF THE MINUTES OF MARCH 26, 2012**
5. **PROCLAMATIONS:**
 - #032 McCain** Child Abuse Prevention Month – Jack Duty
 - #033 Nielsen** Keep Natchitoches Beautiful Month – Green Ambassador Representative
 - #034 Payne** Fair Housing Month
6. **PLANNING & ZONING - INTRODUCTION:**
 - 018 Mims** Ordinance Amending Ordinance No. 64 Of 2001 By Changing Zoning Classification Of Property Described As Follows:

Lot At The Northwest Corner Of Keyser Avenue And East Third Street, 160 Feet Front By 200 Feet Deep, From B-2 Commercial To B-3 Commercial To Operate A Pawn Shop (Application By Cole Lucky) (246 Keyser Avenue)
7. **ORDINANCES - INTRODUCTION:**
 - #016 Morrow** Ordinance Amending And Reenacting Sections 20-51 Through 20-53 Of The Natchitoches Code Of Ordinances Relative To Smoke Free Air To Protect All Employees In All Workplaces By Prohibiting Smoking In All Enclosed Public Places Of Employment, And Certain Outdoor Areas Within The City Of Natchitoches, To Provide For Related Matters, To Provide An Effective Date, To Provide For Advertising, To Provide For Severability, And Further Providing For A Repealer Of Ordinance
TABLED
 - #017 Morrow** Ordinance To Amend And Reenact The City Of Natchitoches Police Department Policy And Procedure Manual In Order To Update Same To Comply With Requirements Of The Civil Service And The Requirements Of The Liability Insurer For The City Of Natchitoches, Providing For Advertising, Further Providing For Severability, And Further Providing For A Repealer And Effective Date Of Ordinance
 - #019 Payne** Ordinance Adopting The Budget For The City Of Natchitoches For The Fiscal Year June 1, 2012 Through May 31, 2013

- #020 Nielsen** Ordinance Authorizing The Mayor Of The City Of Natchitoches, Louisiana, To Enter Into A Cooperative Endeavor Agreement With The Natchitoches Parish Law Enforcement District Whereby The City Of Natchitoches Will Purchase And Provide Access To A Force Training Simulator And In Exchange The Natchitoches Parish Law Enforcement District Will Purchase Certain Optional Equipment For The Force Training Simulator
- #021 Mims** Ordinance To Amend And Reenact Section 28-40, Entitled Numbers To Be Of Metal; Sizes, Which Section Is Located In The Chapter 28 Of The Code Of Ordinances, Which Said Chapter Deals With Streets, Sidewalks And Public Places, Said Amendment Being Made To Provide For A Penalty Upon Failure To Comply With Requirement To Provide For House Numbering, Providing For Advertising, Further Providing For Severability, And Further Providing For A Repealer And Effective Date Of Ordinance.

8. ADJOURNMENT

NOTICE TO THE PUBLIC

In accordance with the Americans with Disabilities Act, if you need special assistance, please contact the City Clerk's Office at (318) 352-2772 describing the assistance that is necessary.

If you wish to address the Council, please complete the "Request to Address City Council" form located on the entrance table.

**PROCEEDINGS OF THE CITY COUNCIL
OF THE CITY OF NATCHITOCHES, STATE OF LOUISIANA,
REGULAR MEETING HELD ON
MONDAY, APRIL 9, 2012, AT SEVEN O'CLOCK, (7:00) P.M.**

The City Council of the City of Natchitoches met in legal and regular session at the Natchitoches Arts Center, 716 Second Street, Natchitoches, Louisiana on Monday, April 9, 2012, at 7:00 p.m.

There were present:

Councilman At Large Don Mims, Jr.,
Councilmen: Jack McCain, Larry Payne, Dale Nielsen
Councilwoman Sylvia Morrow

Absent: None

Guests: Mayor Elect Lee Posey, David Stamey, and Roosevelt L. Johnson, Councilman At Large for the City of Alexandria, Jack Duty, Green Ambassadors, Jill Wilks, Jamanta Mims and Elizabeth Lambre, Mr. Buddy Lott, Mr. Terri Griffin Broussard, Paul Khoury, Joe Cunningham, Cole Lucky

The Mayor opened the meeting by welcoming everyone. The Mayor introduced Mayor Elect Lee Posey, upcoming District One City Council Member David Stamey, and Roosevelt Johnson, Councilman At large for the City of Alexandria, Louisiana. The Mayor then asked everyone to rise for the Invocation given by Mike Braxton, followed by the Pledge of Alliance lead by Don Mims.

The Mayor called for the reading and approval of the Minutes of the March 26, 2012 meeting. Mr. McCain made a motion to approve the minutes and dispense with the reading of the minutes. Mr. Nielson seconded the motion. The roll call vote was as follows:

AYES:	Mccain, Nielson Payne Mims, Morrow
NAYES:	None
ABSENT:	None

The following Resolution was Introduced by Mr. McCain and Seconded by Mr. Payne as follows, to-wit:

RESOLUTION NO. 032 OF 2012

PROCLAMATION

CHILD ABUSE PREVENTION MONTH

WHEREAS, **National Child Abuse Prevention Month** is an annual opportunity to raise awareness about issues surrounding child abuse and neglect and engage community members in the ongoing effort to keep children safe; and

WHEREAS, CASA is one of a group of National Child Abuse Prevention Partner Organizations, selected by the Children's Bureau to serve as partners in the national child abuse prevention initiative; and

WHEREAS, the work of CASA and volunteers is crucial to preventing child abuse and ensuring that children live in safe and permanent environments where they can thrive; and

WHEREAS, studies have indicated that children with a CASA volunteer are less likely to languish in long-term foster care, more likely to receive needed services and less likely to re-enter the foster care system; and

WHEREAS, child abuse prevention requires partnerships among federal, state, and local governments, faith-based and community-based organizations, schools, law enforcement, social service agencies, parents; and

WHEREAS, during National Child Abuse Prevention Month, and throughout the year, I encourage all citizens of Natchitoches to find ways to cherish our children, strengthen our families, work together to eliminate child abuse and neglect, and strive toward a shared dream in which every child is safe and happy.

NOW, THEREFORE, I, Wayne McCullen, Mayor, and the Natchitoches City Council, do hereby proclaim April 2012 as:

CHILD ABUSE PREVENTION MONTH

in Natchitoches, and call upon all citizens to increase their participation in our efforts to prevent child abuse, which in turn will strengthen our community in which we live.

This Resolution was then presented for a vote, and the vote was recorded as follows:

AYES:	McCain, Payne, Nielsen, Mims, Morrow
NAYS:	None
ABSENT:	None
ABSTAIN:	None

THEREUPON, Mayor Wayne McCullen declared the Resolution passed by a vote of 5 Ayes to 0 Nays on this the 9th day of April, 2012.


WAYNE McCULLEN, MAYOR

Mr. McCain introduced Mr. Jack Duty. Mr. Duty thanked the City for recognizing April, 2012 as Child Abuse Prevention Month. He stated that he is the Executive Director for CASA, a local non-profit organization that advocates for children in the foster care system. Mr. Duty again, thanked the City for its support with this very serious matter.

The following Resolution was Introduced by Mr. Nielsen and Seconded by Mr. Payne as follows, to-wit:

RESOLUTION NO. 033 OF 2012

PROCLAMATION

KEEP NATCHITOCHES BEAUTIFUL MONTH

WHEREAS, the City and Parish of Natchitoches are rich in natural resources and beauty; and

WHEREAS, every citizen should contribute to keeping *their environment* clean and beautiful, and should work together to preserve the natural beauty of their surroundings; and

WHEREAS, Keep America Beautiful, Inc. has organized millions of Americans for more than 30 years in a nationwide effort to improve community environments by establishing a nationwide cleanup event; and

WHEREAS, Keep America Beautiful, a nation, nonprofit, public-education organization, dedicated to improving waste handling practices in American communities, originated Keep America Beautiful Month to focus attention on the efforts of concerned citizens across America who demonstrate daily that keeping America beautiful is more than a slogan; and

WHEREAS, Keep Natchitoches Beautiful is an affiliate of Keep America Beautiful, and is sponsoring community cleanups and an Earth Day celebration in Natchitoches on April 28th; and

WHEREAS, Keep Natchitoches Beautiful is asking all citizens to become involved in the statewide anti-litter efforts through their participation in their local beautification, educational and cleanup events.


NOW, THEREFORE, BE IT RESOLVED by Wayne McCullen, Mayor of the City of Natchitoches, that the month of April 2012 be proclaimed as

KEEP NATCHITOCHES BEAUTIFUL MONTH

This Resolution was then presented for a vote, and the vote was recorded as follows:

AYES:	Nielsen, Payne, Mims, McCain, Morrow
NAYS:	None
ABSENT:	None
ABSTAIN:	None

THEREUPON, Mayor Wayne McCullen declared the Resolution passed by a vote of 5 Ayes to 0 Nays on this the 9th day of April, 2012.


WAYNE McCULLEN, MAYOR

VOLUNTEERS NEEDED

ON SATURDAY, APRIL 28TH

School Groups, Churches, Youth Groups,

Businesses, Residents *Welcome*

"Keep Natchitoches Beautiful Month"



**FREE SUPPLIES
AVAILABLE
TO ALL PARTICIPANTS**
Trash Bags
Rubber Gloves
Educational Materials

Ward's Waste Services will have dumpsters located throughout the community for all trash collected.

White goods (stoves, washers, dryers, refrigerators, water heaters, etc.) will be picked up as part of the clean-up campaign.

Ward's Waste: 354-1001

City of Natchitoches Public

Works Department: 357-3875

CLEAN-UP HEADQUARTERS

Downtown Riverbank

8 a.m. to noon

Adjacent to the Cane River Green Market
Light refreshments provided to participants.

FOR DETAILS ON HOW TO VOLUNTEER:

Citywide Clean-Up

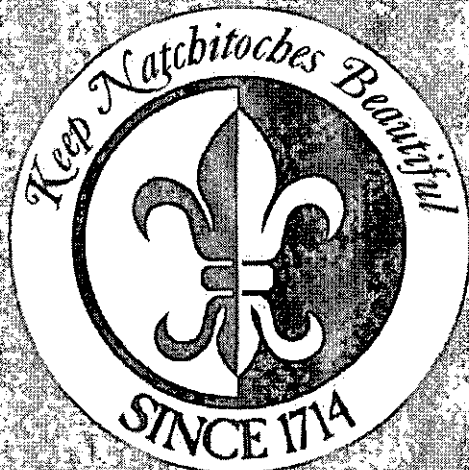
Keep Natchitoches Beautiful

Call 357-3822 or 352-2746

Natchitoches Parish Clean-Up

Sheriff's Office Community Services Division

Call 238-7550



Mr. Nielson introduced Green Ambassadors, Jill Wilks, Jamanta Mims and Elizabeth Lambre. Ms. Wilks asked that everyone please participate in the upcoming cleanups. Ms. Wilks also mention that the Schools are encouraged to participate in the Clean Campus Designations. Ms. Lambre informed the Council that there is an upcoming cleanup scheduled for Saturday, April 28th, next to the Cane River Green Market and asked everyone to volunteer.

The following Resolution was Introduced by Mr. Payne and Seconded by Ms. Morrow as follows, to-wit:

RESOLUTION NO. 034 OF 2012

PROCLAMATION

FAIR HOUSING MONTH

WHEREAS, the 44th Anniversary of the National Fair Housing Law, Title VIII of the Civil Rights Act of 1968, during the month of April, is an occasion for all Americans-individually and collectively - to rededicate themselves to the principal of freedom from housing discrimination whenever it exists; and

WHEREAS, this law guarantees for each citizen the critical, personal element of freely choosing a home; and

WHEREAS, a fair housing law has been passed by the state of Louisiana, and implementation of the law requires the positive commitment, involvement, and support of each of our citizens; and

WHEREAS, the department and agencies of the state of Louisiana are to provide leadership in the effort to make fair housing not just an idea, but an ideal for all our citizens; and

WHEREAS, barriers that diminish the rights and limit the options of any citizen to freely choose a home will ultimately diminish the rights and limit the options of all.

NOW, THEREFORE, BE IT RESOLVED I, Wayne McCullen, Mayor, and the Natchitoches City Council, that the month of April 2012 be proclaimed as

FAIR HOUSING MONTH

This Resolution was then presented for a vote, and the vote was recorded as follows:

AYES:	Payne, Morrow, Nielsen, Mims, McCain
NAYS:	None
ABSENT:	None
ABSTAIN:	None

THEREUPON, Mayor Wayne McCullen declared the Resolution passed by a vote of 5 Ayes to 0 Nays on this the 9th day of April, 2012.


WAYNE McCULLEN, MAYOR

ORDINANCE NO. 018 OF 2012

**AN ORDINANCE AMENDING ORDINANCE NO. 64 OF 2001 BY CHANGING
ZONING CLASSIFICATION OF PROPERTY DESCRIBED AS FOLLOWS:**

**LOT AT THE NORTHWEST CORNER OF KEYSER AVENUE AND EAST
THIRD STREET, 160 FEET FRONT BY 200 FEET DEEP, FROM B-2
COMMERCIAL TO B-3 COMMERCIAL TO OPERATE A PAWN SHOP**

(APPLICATION BY COLE LUCKY)

(246 KEYSER AVENUE)

WHEREAS, the Planning Commission of the City of Natchitoches, State of Louisiana, has recommended at their meeting of April 3, 2012, that the request of **Cole Lucky** to operate a pawn shop, be **approved**. (Council District #2)

With no opposition, Mayor McCullen stated the Ordinance stands introduced and will be back on the agenda in two weeks for final approval.

The following Ordinance was **TABLED** by Mr. Nielsen and Seconded by Ms. Morrow as follows, to-wit:

ORDINANCE NUMBER 016 OF 2012

AN ORDINANCE AMENDING AND REENACTING SECTIONS 20-51 THROUGH 20-53 OF THE NATCHITOCHES CODE OF ORDINANCES RELATIVE TO SMOKE FREE AIR TO PROTECT ALL EMPLOYEES IN ALL WORKPLACES BY PROHIBITING SMOKING IN ALL ENCLOSED PUBLIC PLACES OF EMPLOYMENT, AND CERTAIN OUTDOOR AREAS WITHIN THE CITY OF NATCHITOCHES, TO PROVIDE FOR RELATED MATTERS, TO PROVIDE AN EFFECTIVE DATE, TO PROVIDE FOR ADVERTISING, TO PROVIDE FOR SEVERABILITY, AND FURTHER PROVIDING FOR A REPEALER OF ORDINANCE.

WHEREAS, pursuant to Section 1.06 of the Charter of the City of Natchitoches, the City has the right, power and authority to pass ordinances necessary to provide for and promote the general welfare, safety, health, peace and good order of the City and its citizens; and

WHEREAS FURTHER, the City Council of the City of Natchitoches is of the opinion that the welfare and health of the citizens of the City of Natchitoches would be promoted by the adoption of a Smoke Free Air Ordinance; and

NOW THEREFORE, BE IT ORDAINED by the City Council of the City of Natchitoches, Louisiana, in legal session convened, that Chapter 20 of the Code of Ordinances of the City of Natchitoches, Louisiana, is hereby amended to amend and reenact Sections 20-51 through 20-53 which shall hereinafter read as follows:

“Sec. 20-51. City of Natchitoches Smoke-Free Air Ordinance of 2012

This Ordinance shall be known as the City of Natchitoches Smoke-free Air Ordinance of 2011 and shall make all enclosed public places and workplaces, and certain outdoor areas, in the City of Natchitoches Smoke-Free.

(A) Definitions.

The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

"Bar" means an establishment that sells and/or serves alcoholic beverages of any alcoholic content for consumption on the premises by guests and in which the serving of food is only incidental to the consumption of those beverages, including but not limited to taverns, nightclubs, cocktail lounges, bars located within restaurants, bars located within hotels and motels, and cabarets.

"Business" means a sole proprietorship, partnership, joint venture, corporation, or other business entity, either for-profit or not-for-profit, and shall include retail establishments where goods or services are sold; professional corporations and other entities where legal, medical, dental, engineering, architectural, or other professional services are delivered.

"Employee" means a person who is employed by an employer in consideration for direct or indirect monetary wages or profit, and a person who volunteers his or her services for an employer or non-profit entity.

"Employer" means a person, business, partnership, association, corporation, including a municipal corporation, trust, or non-profit entity that employs the services of one or more individual persons.

"Enclosed Area" means all space between a floor and a ceiling that is bounded on at least two sides by walls, doorways, or windows, whether open or closed. A wall includes any retractable divider, garage door, or other physical barrier, whether temporary or permanent and whether or not containing openings of any kind.

"Gaming facilities" means any establishment where gaming, gambling activities, or charitable gaming occurs, including but not limited to bingo halls, racetracks, establishments with video poker, land-based casinos, and riverboat casinos, "Gaming", gambling activities", and charitable gaming means any game of chance which is played with cards, dice, or any electronic, electrical, or mechanical device or machine for money or property or anything of value.

"Health Care Facility" means an office or institution providing care or treatment of diseases, whether physical, mental, or emotional, or other medical, physiological, or psychological conditions, including but not limited to, hospitals, rehabilitation hospitals or other clinics, including weight control clinics, nursing homes, long-term care facilities, homes for the aging or chronically ill, laboratories, and offices of surgeons, chiropractors, physical therapists, physicians, psychiatrists, dentists, and all specialists within these professions. This definition shall include all waiting rooms, hallways, private rooms, semi-private rooms, and wards within health care facilities.

"Place of Employment" means an area under the control of a public or private employer, including, but not limited to, work areas, private offices, employee lounges, restrooms, conference rooms, meeting rooms, classrooms, employee cafeterias, hallways, construction sites, temporary offices, and vehicles. A private residence is not a "place of employment" unless it is used as a child care, adult day care, nursing home, or health care facility.

"Playground" means any park or recreational area designed in part to be used by children that has play or sports equipment installed or that has been designated or landscaped for play or sports activities, or any similar facility located on public or private school grounds or on City of Natchitoches grounds.

"Public Place" means an area to which the public is invited or in which the public is permitted, including but not limited to, banks, bars, educational facilities, gaming facilities, health care facilities, hotels and motels, laundromats, public transportation vehicles and facilities, reception areas, restaurants, retail food production and marketing establishments, retail service establishments, retail stores, retail tobacco businesses, shopping malls, sports arenas, theaters, and waiting rooms. A private residence is not a "public place" unless it is used as a child care, adult day care, nursing home, or health care facility.

"Restaurant" means an eating establishment, including but not limited to, coffee shops, cafeterias, sandwich stands, and private and public school cafeterias, which gives or offers for sale food to the public, guests, or employees, as well as kitchens and catering facilities in which food is prepared on the premises for serving elsewhere. The term "restaurant" shall include a bar area within the restaurant.

"Retail Tobacco Business" is any establishment or business, including but not limited to cigar shops, that are utilized primarily for the sale of tobacco products and accessories and in which the sale of other items is incidental.

"Service Line" means an indoor or outdoor line in which one or more persons are waiting for or receiving service of any kind, whether or not the service involves the exchange of money, including but not limited to, ATM lines, concert lines, food vendor lines, movie ticket lines, and sporting event lines.

"Shopping Mall" means an enclosed public walkway or hall area that serves to connect retail or professional establishments.

"Smoking" means inhaling, exhaling, burning, or carrying any lighted or heated cigar, cigarette, or pipe, or any other lighted or heated tobacco or plant product intended for inhalation, in any manner or in any form. "Smoking" also includes the use of any oral smoking device for the purpose of circumventing the prohibition of smoking in this Ordinance.

"Sports Arena" means a place where people assemble to engage in physical exercise, participate in athletic competition, or witness sports or other events, including sports pavilions, stadiums, gymnasiums, health spas, boxing arenas, swimming pools, roller and ice rinks, and bowling alleys.

(B) Prohibition of Smoking in Enclosed Public Places.

Smoking shall be prohibited in all enclosed public places within the City of Natchitoches including but not limited to, the following places:

- 1) Aquariums, galleries, libraries, and museums.
- 2) Areas available to the general public in businesses and non-profit entities patronized by the public, including but not limited to, banks, laundromats, professional offices, and retail service establishments.
- 3) Bars.
- 4) Bingo facilities.
- 5) Child care and adult day care facilities.
- 6) Convention facilities.
- 7) Educational facilities, both public and private.
- 8) Elevators.
- 9) Gaming facilities.
- 10) Health care facilities.
- 11) Hotels and motels, including all rooms rented to guests, restrooms, lobbies, reception areas, hallways, and other common-use areas; provided that a maximum of fifty percent of the hotel rooms, at the discretion of the hotel owner or general manager, available for rent to guests in a hotel or motel may be designated as smoking rooms.
- 12) Lobbies, hallways, and other common areas in apartment buildings, condominiums, trailer parks, retirement facilities, and other multiple-unit residential facilities.
- 13) Nursing homes including but not limited to all private and semi-private rooms, restrooms, lobbies, reception areas, hallways, and other common-use areas.
- 14) Polling places.
- 15) Public transportation vehicles, including buses and taxicabs, under the authority of the City of Natchitoches, and ticket, boarding, and waiting areas of public transportation facilities, including bus, train, and airport facilities.
- 16) Restaurants.
- 17) Restrooms, lobbies, reception areas, hallways, and other common-use areas.
- 18) Retail stores.

- 19) Retail tobacco businesses.
- 20) Rooms, chambers, places of meeting or public assembly, including school buildings, under the control of an agency, board, commission, committee or council of the City of Natchitoches or a political subdivision of the State, to the extent the place is subject to the jurisdiction of the City of Natchitoches.
- 21) Service lines.
- 22) Shopping malls.
- 23) Sports arenas, including enclosed places in outdoor arenas.
- 24) Theaters and other facilities primarily used for exhibiting motion pictures, stage dramas, lectures, musical recitals, or other similar performances.

(C) Prohibition of Smoking in Enclosed Places of Employment.

Smoking shall be prohibited in all enclosed areas of places of employment without exception. This includes, without limitation, common work areas, auditoriums, classrooms, conference and meeting rooms, private offices, elevators, hallways, medical facilities, cafeterias, employee lounges, stairs, restrooms, vehicles, and all other enclosed facilities.

This prohibition on smoking shall be communicated to all existing employees by the effective date of this Article and to all prospective employees upon their application for employment.

(D) Prohibition of Smoking in Outdoor Public Places.

Smoking shall be prohibited in the following outdoor places:

- 1) Within a reasonable distance of twenty-five (25) feet outside entrances and operable windows of enclosed areas where smoking is prohibited, so as to prevent tobacco smoke from entering those areas.
- 2) Within twenty-five (25) feet of all buildings owned, leased, or operated by the City of Natchitoches and that is under the control of the City of Natchitoches.
- 3) In, and within twenty-five (25) feet of, enclosed outdoor seating or serving areas of restaurants and bars.
- 4) In and at all outdoor arenas, stadiums, and amphitheaters, including but not limited to bleachers and grandstands for use by spectators at sporting and other public events.
- 5) In, and within twenty-five (25) feet of, all outdoor playgrounds.
- 6) In, and within twenty-five (25) feet of, all outdoor public transportation stations, platforms, and shelters under the authority of the City of Natchitoches.
- 7) In outdoor common areas of apartment buildings, condominiums, trailer parks, retirement facilities, nursing homes, and other multiple-unit residential facilities, except in designated smoking areas, not to exceed twenty-five percent (25%) of the total outdoor common area, which must be located at least twenty-five (25) feet outside entrances and operable windows of enclosed areas where smoking is prohibited.

(E) Prohibition of Smoking in Outdoor Places of Employment.

Smoking shall be prohibited in all outdoor places of employment where employees are required to be in the course of their employment. This includes, without limitation, work areas, construction sites, temporary offices such as trailers, restroom facilities, and vehicles.

This prohibition on smoking shall be communicated to all existing employees by the effective date of this Article and to all prospective employees upon their application for employment.

(F) Declaration of Establishment or Outdoor Area as Nonsmoking.

Notwithstanding any other provision of this Article, an owner, operator, manager, or other person in control of an establishment, facility, or outdoor area may declare that entire establishment, facility, or outdoor area as a nonsmoking place. Smoking shall be prohibited in any place in which a sign conforming to these requirements is posted.

(G) Posting of Signs and Removal of Ashtrays.

The owner, operator, manager, or other person in control of a public place or place of employment where smoking is prohibited by this Section shall:

- 1) Clearly and conspicuously post "No Smoking" signs or the international "No Smoking" symbol (consisting of a pictorial representation of a burning cigarette enclosed in a red circle with a red bar across it) in that place.
- 2) Clearly and conspicuously post at every entrance to that place a sign stating that smoking is prohibited.
- 3) Clearly and conspicuously post on every vehicle that constitutes a place of employment under this Ordinance at least one sign, visible from the exterior of the vehicle, stating that smoking is prohibited.
- 4) Remove all ashtrays from any area where smoking is prohibited by this Ordinance, except for ashtrays displayed for sale and not for use on the premises.

(H) Where Smoking Not Regulated.

Notwithstanding any other provision of this Article to the contrary, smoking shall not be prohibited in private residences, unless used as a childcare, adult day care, nursing home, or health care facility.

(I) Declaration of Establishment or Outdoor Area as Nonsmoking.

Notwithstanding any other provision of this Article, an owner, operator, manager, or other person in control of an establishment, facility, or outdoor area may declare that entire establishment, facility, or outdoor area as a nonsmoking place. Smoking shall be prohibited in any place in which a sign conforming to these requirements is posted.

(J) Non retaliation; Non waiver of Rights.

No person or employer shall discharge, refuse to hire, or in any manner retaliate against an employee, applicant for employment, customer, or resident of a multiple-unit residential facility because that employee, applicant, customer, or resident exercises any rights afforded by this Article or reports or attempts to prosecute a violation of this Article. Violation of this Subsection shall be a misdemeanor, punishable by a fine not to exceed \$500 for each violation.

An employee who works in a setting where an employer allows smoking does not waive or otherwise surrender any legal rights the employee may have against the employer or any other party.

(K) Enforcement.

This Ordinance may be enforced by any law enforcement officer by issuance of a citation and summons to appear before the Natchitoches City Court.

Notice of the provisions of this Ordinance shall be given to all applicants for a business license in the City of Natchitoches.

City of Natchitoches Code Enforcement officials may enforce this Ordinance while an establishment is undergoing otherwise mandated inspections.

An owner, manager, operator, or employee of an area regulated by this Ordinance shall direct a person who is smoking in violation of this Ordinance to extinguish the product being smoked. If the person does not stop smoking, the owner, manager, operator, or employee shall refuse service and shall immediately ask the person to leave the premises.

If the person in violation refuses to leave the premises, the owner, manager, operator, or employee shall contact a law enforcement agency.

(L) Violations and Penalties.

A person who smokes in an area where smoking is prohibited by the provisions of this Article shall be guilty of - a misdemeanor, punishable by:

- 1) A fine not exceeding one hundred dollars (\$100) for a first violation.
- 2) A fine not exceeding two hundred fifty dollars (\$250) for a second violation within one (1) year.
- 3) A fine not exceeding five hundred dollars (\$500) for each additional violation within one year.

Except as otherwise provided by this Section, a person who owns, manages, operates, or otherwise controls a public place or place of employment and who fails to comply with the provisions of this Section shall be guilty of a misdemeanor, punishable by:

- 1) A fine not exceeding one hundred dollars (\$100) for a first violation.
- 2) A fine not exceeding two hundred fifty dollars (\$250) for a second violation within one (1) year.
- 3) A fine not exceeding five hundred dollars (\$500) for each additional violation within one (1) year.

In addition to the fines established by this Ordinance, violation of this Section by a person who owns, manages, operates, or otherwise controls a public place or place of employment may result in the suspension or revocation of any permit or license issued to the person for the premises on which the violation occurred.

Each day on which a violation of this Section occurs shall be considered a separate and distinct violation.

(M) Public Education.

The City of Natchitoches shall engage in a continuing program to explain and clarify the purposes and requirements of this Ordinance to citizens affected by it, and to guide owners, operators, and managers in their compliance with it. The program may include publication of a brochure for affected businesses and individuals explaining the provisions of this Ordinance.

(N) *Governmental Agency Cooperation.*

The City of Natchitoches may annually request other governmental and educational agencies having facilities within the City of Natchitoches to establish local operating procedures in cooperation and compliance with this Section. This includes urging all Federal, State, City, and School District agencies to update their existing smoking control regulations to be consistent with the current health findings regarding secondhand smoke.

(O) *Other Applicable Laws.*

This Ordinance shall not be interpreted or construed to permit smoking where it is otherwise restricted by other applicable laws.

BE IT FURTHER ORDAINED by the City Council of the City of Natchitoches, Louisiana, that all ordinances, or parts of ordinances in conflict with any provision of this Ordinance, be and the same are hereby repealed, provided that any violation of prior ordinances occurring before the date whereon this Ordinance becomes effective, shall be governed by such prior ordinances and may be prosecuted thereunder.

BE IT FURTHER ORDAINED that if any section of this Ordinance is declared to be invalid or unconstitutional in any manner, then the validity shall be limited to that particular section or provision, and shall not affect the remaining portions of the Ordinance, which shall remain valid and enforceable, it being the intention of the City Council of the City of Natchitoches, that each separate provision shall be deemed independent of all other provisions herein.

BE IT FURTHER ORDAINED that this Ordinance shall take effect after publication in accordance with law.

After discussion Mr. Nielsen made a motion to table this Ordinance which was seconded by Ms. Morrow, the motion to table was presented for a vote and the vote was recorded as follows:

AYES:	Nielsen, Morrow, Payne, Mims, McCain
NAYS:	None
ABSENT:	None
ABSTAIN:	None

THEREUPON, Mayor Wayne McCullen declared the Motion to Table Ordinance PASSED by a vote of 5 Ayes to 0 Nays on this the 9th day of April, 2012

Mr. Roosevelt L. Johnson, Councilman At Large for the City of Alexandria, stated that in 2006 the City of Alexandria started reviewing the requirements for the placement of a Smoke Free Ordinance. The City of Alexandria first passed a Smoke Free Ordinance for recreational sites and other public places in the City. He stated that the Smoke Free Air Ordinance is more than just eliminating smoke but is intended it to benefit the health and welfare of the citizens. He stated that the City of Alexandria started working on the most recent Ordinance over a year ago, with much hard work, public hearings and meetings the ordinance went into effect in January of this year. Once the ordinance was put into effect, the response was great. People have been excited. The economic impact was great. The bars, restaurants the economic impact and other places of establishment in the city and tenants in all those locations explained that they have tremendously grown. Mr. Roosevelt embrace it has a health innovative, something the City will be proud of and the citizens will be happy with. Mr. Roosevelt explained that this Ordinance was the most challenging ordinance in his 10 to 12 years. At the time the Ordinance in the City of Alexandria passed, it was unanimous. Mr. Roosevelt further explained this is a challenge. And further that he is not just visiting Natchitoches, but also Lafayette and Shreveport and he wants to be a part of a big campaign to help the State of Louisiana to clear the air.

Mr. Buddy Lott introduced himself. Mr. Lott stated while he understands Mr. Roosevelt's position, he'd like to put a little spin on it. Mr. Lott directed his questions to the Police Chief with regard to who will be responsible for writing tickets for the fines and exactly who would receive the tickets? How will this be enforced? Mr. Lott further explained that he hates to see the City rush in and pass this ordinance that will affect businesses. He owns businesses in the City and expects that this ordinance will hurt his business, as well as other businesses in the City. Mr. Lott further explained that smoking is a matter of choice. Mr. Lott explained that we have enough government telling us what we can and cannot do. Mr. Lott appealed to the Council to get statistics on this matter and learn how this ordinance may affect the community and business owners.

Ms. Terri Griffin Broussard introduced herself. She stated that she is from Lafayette and she travels promoting the detriments to second hand smoke and the harmful issues associated with smoking. Ms. Broussard explained that the compliance with smoke free areas is very high. Ms. Broussard explained that studies show that the economic impact on businesses is either neutral or positive. Mr. Broussard also stated that within the first five day of passing the ordinance Alexandria, the air quality was 36 times cleaner and pollution was 97 percent lower. Ms. Broussard encouraged the Council to consider the positive impact that going smoke free has, not only on health, but also businesses.

Ms. Sylvia Morrow stated to the Mayor and the Council that before the meeting she had several business owners contract her. She stated that expect at least 10 business owners to be at the Council meeting to let everyone know that they would like this ordinance passed for a health aspect. Ms. Morrow stated that she has a list of how this particular ordinance can be geared to a health initiative. There is an outline with regard to the writing of tickets and fines. Ms. Morrow stated that it is not to hinder business, the Council, but wants to do whatever they can do to encourage tourism. Ms. Morrow further stated she expected a few doctors at the next meeting also.

Paul Khoury, introduced himself. Mr. Khoury inquired as to what locations were included in the *current State ordinance*.

Ms. Broussard stated that most restaurants, most public places, including school campuses and 50% of hotel rooms are required to the smoke free.

Mr. Khoury stated that according to this there are only a few businesses within the City of Natchitoches that will be affected by this ordinance. Basically all other areas are covered by the State ordinance.

Mr. Dale Nielson stated he received a call a few days ago from Mr. Johnson, during this conversation he learned that it took a few years to pass the ordinance. Mr. Nielson stated that as he reads through the ordinance, there are a few concerns. One of these concerns is the requirements to be 25' from the building, not just the main entrance. Mr. Nielson further went on to say that he has been told from some bingo parlors that they have had a decrease in businesses in Alexandria. Another issue is the restriction of a business owner from smoking in the building he is paying a mortgage and running his business. Mr. Nielson stated that he would have a problem with the government telling him what he can and cannot do. Mr. Nielson stated that he does not agree with the Ordinance as it reads, and doesn't think it fits Natchitoches and would like to take more time.

Ms. Morrow added that she thinks about the parks designed for children to play, but as the children are playing people walk their dogs and the dogs "do their business". Then we have the children who play out there. We need to step up in the City and do what is best for the children and the people. Also, there is a Clean Water Act, which she learned that the water was contaminated water. Ms. Morrow said she had a suit filed regarding the contaminated water. We need to step up to the plate and do what is right for the City.

Mr. Joe Cunningham introduced himself. Mr. Cunningham asked if it would be possible that we get any sort of economic studies within the next two weeks. Mr. Cunningham further explained that he was also uncomfortable with the having the government dictate to us where you can go. Mr. Cunningham stated it would be good to get the economic study and let the citizen know how it will affect them before their elected officials make a decision on this matter.

Mr. Mims explained that it is his opinion that the Council is the not place to determine if a person may or may not smoke. He stated that he agrees that we don't need smoking at the baseball field and other places where there are children. The City has a number of bars and restaurants where people smoke and a number of these businesses that are non-smoking. He also stated he is concerned about the non-profit organizations. He is on the Board for the Council on Aging and doesn't want the revenue from bingo to decrease.

Ms. Morrow stated that there are some places in the City of Natchitoches that are posted with "No Smoking" signs and there are cigarette butts all over. This is an embarrassment to the City.

Mr. McCain explained that it is apparent to him that we should table this ordinance for further study and further information. Mr. McCain stated that the Council needs to get more information on the economic impact. If we table this matter, we can not only gather information, but also have a public meeting on the matter.

Mr. Payne a part of his business, they have to clean up cigarette butts. He also explained that it is his opinion that we are trying to govern something that will be very hard to govern. Mr. Payne further explained that this is not only a retirement town but also a college town. We have to keep this in mind. Mr. Payne stated that he agrees that this matter should be tabled at this time. The Council does not want to make it hard for people. After all the study is done and all the information is in, and then we decide that this ordinance is right for the City, then it will be the right thing to do.

Mr. McCain reminded the Council that Mr. Roosevelt stated that Alexandria done an extreme study before they passed their ordinance. Also policing this ordinance will be difficult for the Chief of Police. We need to think about this a little more, gather information and make sure it's the right thing to do in the City of Natchitoches.

Mr. Cole Lucky asked how the ordinance applies to recreational facilities. He owns a 70 acre golf course and recreational facility and needs to know how this ordinance will affect this course. Ms. Broussard stated that in Alexandria, the same question was asked and the area was not included as it is an outdoor space.

ORDINANCE NUMBER 017 OF 2012

AN ORDINANCE TO AMEND AND REENACT THE CITY OF NATCHITOCHES POLICE DEPARTMENT POLICY AND PROCEDURE MANUAL IN ORDER TO UPDATE SAME TO COMPLY WITH REQUIREMENTS OF THE CIVIL SERVICE AND THE REQUIREMENTS OF THE LIABILITY INSURER FOR THE CITY OF NATCHITOCHES, PROVIDING FOR ADVERTISING, FURTHER PROVIDING FOR SEVERABILITY, AND FURTHER PROVIDING FOR A REPEALER AND EFFECTIVE DATE OF ORDINANCE

WHEREAS, the Chief of Police of the City of Natchitoches, working with the liability insurance carrier for the City of Natchitoches has developed a Policy and Procedure Manual for the Police Department of the City of Natchitoches, Louisiana; and

WHEREAS FURTHER, the City Council of the City of Natchitoches has been provided with a copy of the proposed Manual and desires to adopt the Policy and Procedure Manual for the City of Natchitoches Police Department; and

NOW THEREFORE BE IT ORDAINED by the City Council of the City of Natchitoches, Louisiana, as follows:

SECTION 1. The proposed Policy and Procedure Manual of the Police Department for the City of Natchitoches shall be adopted in its entirety in the form submitted by the Chief of Police

SECTION 2. All Ordinances or parts of Ordinances in conflict herewith are hereby repealed, and specifically all prior Policy and Procedure Manual adopted by the City of Natchitoches for use by the Police Department are hereby rescinded and repealed.

SECTION 3. If any portion of this Ordinance is declared to be invalid or unconstitutional in any manner, the invalidity shall be limited to that particular section or provision, and shall not affect the remaining portions of the ordinance, which shall remain valid and enforceable, it being the intention of the City Council that each separate provision shall be deemed independent of all other provisions herein.

SECTION 4. This Ordinance shall go into effect upon publication and in accordance with law.

Chief Dove explained that the policy and procedure manual they are using is from 1981. The manual needs to be amended in order to become more up-to-date. Mayor McCullen commended Chief Dove for looking into updating their policy and procedure manual. Mayor McCullen then stated the Ordinance stands introduced and will be back on the agenda in two weeks for final approval.

ORDINANCE NO. 019 OF 2012

**AN ORDINANCE ADOPTING THE BUDGET FOR THE
CITY OF NATCHITOCHES FOR THE FISCAL YEAR
JUNE 1, 2012 THROUGH MAY 31, 2013**

WHEREAS, the fiscal year of the City of Natchitoches is from June 1 through May 31 of each year; and

WHEREAS, a budget has been prepared by the Finance Director, Mr. Patrick Jones, and has been submitted by the Mayor, Wayne McCullen, to the City Council for review and consideration;

NOW, THEREFORE, be it ordained that the Natchitoches City Council does hereby adopt the budget for the fiscal year June 1, 2012 through May 31, 2013.

CITY OF NATCHITOCHES 2012 - 13 FY

General Fund	\$ 13,936,428
Proprietary Fund (Utility)	\$ 40,687,097
Special and Capital Project Funds	\$ 21,191,116

BE IT FURTHER ORDAINED, in accordance with L.R.S. 39:1305, the following specifies the Mayor's authority to make budgetary amendments without approval of the governing authority, as well as those powers reserved solely to the governing authority:

The Home Rule Charter of the City of Natchitoches states in part "... at any time during the fiscal year the mayor may transfer part or all of any unencumbered appropriation balance among programs within a department, office, or agency. Upon written request by the Mayor, the Council may by ordinance transfer part or all of any unencumbered appropriation balance from one department, office, or agency to another..." (Section 5.05 D) Supplemental, emergency, and reductions of appropriations must be submitted to the Council for approval by Ordinance. (Section 5.05 A-C)

Mr. Pat Jones, Finance Director, stated that there will be public hearings for recommendations and discussion. Mr. Jones further explained that the format is a little different and asked the Council to review and attend the public hearing.

ORDINANCE NO. 020 OF 2012

AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF NATCHITOCHES, LOUISIANA, TO ENTER INTO A COOPERATIVE ENDEAVOR AGREEMENT WITH THE NATCHITOCHES PARISH LAW ENFORCEMENT DISTRICT WHEREBY THE CITY OF NATCHITOCHES WILL PURCHASE AND PROVIDE ACCESS TO A FORCE TRAINING SIMULATOR AND IN EXCHANGE THE NATCHITOCHES PARISH LAW ENFORCEMENT DISTRICT WILL PURCHASE CERTAIN OPTIONAL EQUIPMENT FOR THE FORCE TRAINING SIMULATOR

WHEREAS, the City of Natchitoches (sometimes hereinafter referred to as the "City") is a Municipality located in the State of Louisiana, Parish of Natchitoches governed under a Home Rule Charter and a Code of Ordinances adopted by Ordinance No. 5 of 1977; and

WHEREAS FURTHER, the City of Natchitoches is specifically authorized under Section 1.06 of the Charter of the City of Natchitoches to provide for the general welfare, safety, health, peace and good order of the City, and further authorized under Section 1.07 of the Charter of the City of Natchitoches to enter into Joint Service Agreements or Cooperative Efforts with other governmental agencies; and

WHEREAS FURTHER, the Natchitoches Parish Law Enforcement District (sometimes hereinafter referred to as "District") is a political subdivision of the State of Louisiana, created pursuant to the provisions of Louisiana Revised Statutes 33:9001, et seq.; and

WHEREAS FURTHER, the City of Natchitoches intends to purchase from Ti Training Cooperation a Use of Force Training Simulator which said Simulator shall include the following standard features:

- A. Windows Professional Operating platform;
- B. Training Lab software with updates for life of System;
- C. System is Self Calibrating under any lighting conditions;
- D. 22" Flat Panel Monitor, Keyboard & Optical Mouse;
- E. True High Definition video projector (16:9 aspect Ratio);
- F. Projection Screen, HD - 16x9 Aspect ration (12'x6'11");
- G. 5.1 Surround Sound Speaker System (5 speakers & 1 subwoofer);
- H. Exclusive Scenario and "On-the-Fly" 3-D Audio;
- I. Up to 6 Independent Detected Devices (e.g. 6 Separate Shooters);
- J. PiP - Recording and Playback of Trainee - Audio and Video (Camera);
- K. Training Scenario Library 350+ pre loaded;
- L. New Scenarios (10-12 every 3-4 months) for life of system;

- M. Flashlight with filter;
- N. Deluxe Ceiling Mount and Extended Cables for Permanent Install;
- O. OC Spray Canister/Baton Branching;
- P. Report Generation w/Template Designer;
- Q. Two "Storm" travel Cases for storage and travel;
- R. All necessary cables, connections, software; and
- S. 18 Month Warranty - Extended System Warranties Available;
- T. Videos on the DVD and desktop for refresher training, including Simulation Room Setup, System Setup, Calibration, and Run Screen menus and options;
- U. 24 hour "Master Instructor" class can be purchased separately or Free Training in Golden, CO. *see training description;
- V. One recoil kit for Glock 22 operating off refillable CO2 canisters with a built in laser; and

WHEREAS FURTHER, to enhance the Use of Force Training Simulator, the Natchitoches Parish Law Enforcement District has agreed to purchase and add to the Simulator for the use and benefit of both City and Sheriff's Department personnel, the following optional equipment:

- A. 1-TASER X-26 laser fitted, includes 1 Laser Cartridge (2 Total);
- B. 1-Air Recoil conversion kit for Glock 22 with refillable magazines (2 Total);
- C. 1-Air Recoil Conversion kit for Ar-15;
- D. 1-Firing Line Marksmanship Software Upgrade;
- E. 1-Shotgun Drop in Laser;
- F. Master Instructor Training in Golden (travel expenses not included); and

WHEREAS FURTHER, the City has space available for installation of the Use of Force Training Simulator in the City of Natchitoches; and

WHEREAS FURTHER, the City of Natchitoches has concluded that it is in the best interest of its citizens to purchase the Use of Force Training Simulator to aid in the training of its law enforcement officers; and

WHEREAS FURTHER, the City Council of the City of Natchitoches desires to enter into a Cooperative Endeavor Agreement with the Natchitoches Parish Law Enforcement District for the use of the Use of Force Training Simulator to be purchased by the City of Natchitoches and enhanced by options purchased by the Natchitoches Parish Sheriff's Department; and

WHEREAS FURTHER, the City Council of the City of Natchitoches desires to enter into a Cooperative Endeavor Agreement with the Natchitoches Parish Law Enforcement District whereby the City of Natchitoches will purchase a Use of Force Training Simulator and provide space for the installation and use of same in exchange for the enhancement of said Simulator through the purchase of various optional equipment by the Natchitoches Parish Sheriff's Department; and

WHEREAS FURTHER, a contractual agreement in the form of a Cooperative Endeavor Agreement between the City of Natchitoches and the Natchitoches Parish Law Enforcement District setting for the responsibility and obligations of each party regarding the use of said Simulator serves the objectives of both the City of Natchitoches Police Department and the Natchitoches Parish Law Enforcement District; and

WHEREAS FURTHER, the City Council of the City of Natchitoches is of the opinion that the arrangement contemplated in the Agreement would be of benefit to the City of Natchitoches and would assist the City in providing for the health, safety and welfare of the citizens of the City and Parish of Natchitoches, Louisiana; and

WHEREAS FURTHER, the City Council of the City of Natchitoches has reviewed the attached Cooperative Endeavor Agreement and has approved the terms contained therein and desires to authorize the Mayor of the City of Natchitoches, Wayne McCullen to execute same; and

NOW THEREFORE BE IT ORDAINED by the City Council of the City of Natchitoches, Louisiana, that the Mayor of the City of Natchitoches, Wayne McCullen is hereby authorized to execute the attached Cooperative Endeavor Agreement with the Natchitoches Parish Law Enforcement District for the acquisition and joint use of the use of the above described Force Training Simulator.

BE IT FURTHER ORDAINED that the terms of the Cooperative Endeavor Agreement, attached hereto, are approved and accepted by the City Council of the City of Natchitoches, Louisiana.

COOPERATIVE ENDEAVOR AGREEMENT

City of Natchitoches and Natchitoches Parish Law Enforcement District

WHEREAS, the City of Natchitoches (sometimes hereinafter referred to as the "City" is a political subdivision of the State of Louisiana; and

WHEREAS FURTHER, the Natchitoches Parish Law Enforcement District, is also a political subdivision of the State of Louisiana acting herein through the Sheriff of Natchitoches Parish, Louisiana, Victor Jones, Jr.; and

WHEREAS FURTHER, the Natchitoches Police Department is charged with training its officers in all aspects of police work, including the proper use of force; and

WHEREAS the Natchitoches Parish Sheriff's Department is also charged with training its deputies in all aspects of law enforcement, including the proper use of force; and

WHEREAS the City of Natchitoches intends to purchase from Ti Training Cooperation a Use of Force Training Simulator which said Simulator shall include the following standard features:

- A. Windows Professional Operating platform;
- B. Training Lab software with updates for life of System;
- C. System is Self Calibrating under any lighting conditions;
- D. 22" Flat Panel Monitor, Keyboard & Optical Mouse;
- E. True High Definition video projector (16:9 aspect Ratio);
- F. Projection Screen, HD - 16x9 Aspect ration (12'x6'11");
- G. 5.1 Surround Sound Speaker System (5 speakers & 1 subwoofer);
- H. Exclusive Scenario and "On-the-Fly" 3-D Audio;
- I. Up to 6 Independent Detected Devices (e.g. 6 Separate Shooters);
- J. PiP - Recording and Playback of Trainee - Audio and Video (Camera);
- K. Training Scenario Library 350+ pre loaded;
- L. New Scenarios (10-12 every 3-4 months) for life of system;
- M. Flashlight with filter;
- N. Deluxe Ceiling Mount and Extended Cables for Permanent Install;
- O. OC Spray Canister/Baton Branching;
- P. Report Generation w/Template Designer;
- Q. Two "Storm" travel Cases for storage and travel;

- R. All necessary cables, connections, software; and
- S. 18 Month Warranty - Extended System Warranties Available;
- T. Videos on the DVD and desktop for refresher training, including Simulation Room Setup, System Setup, Calibration, and Run Screen menus and options;
- U. 24 hour "Master Instructor" class can be purchased separately or Free Training in Golden, CO. *see training description;
- V. One recoil kit for Glock 22 operating off refillable CO2 canisters with a built in laser; and

WHEREAS, to enhance the Use of Force Training Simulator, the Natchitoches Parish Law Enforcement District has agreed to purchase and add to the Simulator for the use and benefit of both City and Sheriff's Department personnel, the following optional equipment:

- A. 1-TASER X-26 laser fitted, includes 1 Laser Cartridge (2 Total);
- B. 1-Air Recoil conversion kit for Glock 22 with refillable magazines (2 Total);
- C. 1-Air Recoil Conversion kit for Ar-15;
- D. 1-Firing Line Marksmanship Software Upgrade;
- E. 1-Shotgun Drop in Laser;
- F. Master Instructor Training in Golden (travel expenses not included); and

WHEREAS FURTHER, the City has space available for installation of the Use of Force Training Simulator in the City of Natchitoches; and

WHEREAS FURTHER, the City of Natchitoches has concluded that it is in the best interest of its citizens to purchase the Use of Force Training Simulator to aid in the training of its law enforcement officers; and

WHEREAS FURTHER, the Natchitoches Parish Law Enforcement District has determined that it is in the best interest of the citizens of Natchitoches Parish that it be permitted use of the Use of Force Training Simulator for the purpose of training its deputies; and

WHEREAS FURTHER, under the general law of the Home Rule Charter of the City of Natchitoches, the City has the right, power, and authority to promote, protect, and preserve the general welfare, safety, health, peace and good order of the City; and

WHEREAS FURTHER, the City Council of the City of Natchitoches desires to enter into a Cooperative Endeavor Agreement with the Natchitoches Parish Law Enforcement District for the use of the Use of Force Training Simulator to be purchased by the City of Natchitoches and enhanced by options purchased by the Natchitoches Parish Sheriff's Department; and

WHEREAS FURTHER, the City Council of the City of Natchitoches adopted Ordinance No. 020 of 2011 which authorizes the Mayor of the City of Natchitoches, Louisiana to enter into a Cooperative Endeavor Agreement with the Natchitoches Parish Law Enforcement District whereby the City of Natchitoches will purchase a Use of Force Training Simulator and

provide space for the installation and use of same in exchange for the enhancement of said Simulator through the purchase of various optional equipment by the Natchitoches Parish Sheriff's Department; and

WHEREAS FURTHER, a contractual agreement in the form of a Cooperative Endeavor Agreement between the City of Natchitoches and the Natchitoches Parish Law Enforcement District setting for the responsibility and obligations of each party regarding the use of said Simulator serves the objectives of both the City of Natchitoches Police Department and the Natchitoches Parish Sheriff's Department; and

NOW, THEREFORE, the parties hereto do mutually agree as follows:

In exchange for the purchase of optional equipment by the Natchitoches Parish Sheriff's Department, the City of Natchitoches agrees:

- A. To purchase from Ti Training Corporation a Use of Force Training Simulator with all of the features identified above, and to provide for the installation of same at 400 Amulet Street, Natchitoches, Louisiana;
- B. To, and in consideration of the fact that the facility is multi-use in nature, maintain controls of all keys that can permit access to the aforementioned office space; and
- C. To provide access to the Simulator by Natchitoches Parish Sheriff's Department personnel at reasonable times to be scheduled by the Natchitoches Police Department's Training Coordinator.

In exchange for services provided by the City of Natchitoches and defined above, the Natchitoches Parish Law Enforcement District agrees:

- A. To purchase for use with the Simulator the optional equipment identified above;
- B. To notify the City immediately of any maintenance issues or operational issues related to the Simulator; and
- C. To, and in consideration of the fact that the facility is multi-use in nature, coordinate the use of said Simulator with the City's Training Coordinator.

OWNERSHIP

It is understood and agreed that the City of Natchitoches shall retain ownership of the Simulator, including any optional equipment referenced above.

AMENDMENTS AND TERMINATION

This Agreement may be amended only upon mutual agreement and written consent of the parties hereto. It may be terminated by either party effective January 1 of any year upon that party sending the other party notice of its intention to do so not less than one hundred eighty (180) days prior to the effective date of termination.

NOTICES

All notices of demands of any kind that any party requires or desires to give or make upon others in connection with this Agreement shall be in writing, and shall be deemed delivered by depositing the notice or demand in the United States mail, postage prepaid, and properly addressed to the party as follows:

City of Natchitoches
Attention: Wayne McCullen, Mayor
700 Second Street
Natchitoches, Louisiana 71457

Natchitoches Parish Law Enforcement District
Attention: Sheriff Victor Jones, Jr.
Post Office Box 266
Natchitoches, Louisiana 71458-0266

CITY OF NATCHITOCHES

BY: _____
Wayne McCullen, Mayor

NATCHITOCHES PARISH LAW ENFORCEMENT DISTRICT

BY: _____
Victor Jones, Jr., Sheriff

Chief Dove explained that the simulator and equipment will help train officers for both the City Police Department and the Sheriff's Office. Chief Dove explained that the equipment will be in the control of the City and used by the Sheriff's office also.

Mayor McCullen stated the Ordinance stands introduced and will be back on the agenda in two weeks for final approval.

ORDINANCE NUMBER 021 OF 2012

AN ORDINANCE TO AMEND AND REENACT SECTION 28-40, ENTITLED NUMBERS TO BE OF METAL; SIZES, WHICH SECTION IS LOCATED IN THE CHAPTER 28 OF THE CODE OF ORDINANCES, WHICH SAID CHAPTER DEALS WITH STREETS, SIDEWALKS AND PUBLIC PLACES, SAID AMENDMENT BEING MADE TO PROVIDE FOR A PENALTY UPON FAILURE TO COMPLY WITH REQUIREMENT TO PROVIDE FOR HOUSE NUMBERING, PROVIDING FOR ADVERTISING, FURTHER PROVIDING FOR SEVERABILITY, AND FURTHER PROVIDING FOR A REPEALER AND EFFECTIVE DATE OF ORDINANCE.

WHEREAS, Article III of Chapter 28 of the Code of Ordinance of the City of Natchitoches deals with house numbering; and

WHEREAS FURTHER, included in Article III of Chapter 28 of the Code of Ordinance is Section 28-40, which currently provides as follows, to-wit:

“Section 28-40. Requirements for numbering.

“The number assigned to each building pursuant to this article shall be displayed by the owner or occupant on the front of the building or in the front yard of the lot on which the building stands in numerals of such size not less than three inches in height and so located as to be clearly visible to persons passing by the premises on the abutting street. At no time shall the owner or occupant of the home allow the posted numbers be obscured by shrubbery, growth, trash, or otherwise.”

; and

WHEREAS FURTHER, the Chief of the Natchitoches Police Department has recommended changes in this Section that would encourage the numbering of houses; and

WHEREAS FURTHER, the Chief of Police, Micky Dove, has recommended that the City of Natchitoches amend and re-adopt Section 28-40 of the Code of Ordinances for the City of Natchitoches, Louisiana, in order to provide for a penalty for failure to comply with the requirements of Section 28-40; and

WHEREAS FURTHER, the City Council of the City of Natchitoches has reviewed the proposed changes and agrees that the adoption is advisable and in the best interest of the City of Natchitoches and its citizens; and

WHEREAS FURTHER, the City Council of the City of Natchitoches, Louisiana, desires to amend and reenact Section 28-40 of the Code of Ordinances of the City of Natchitoches, Louisiana, as approved by the Chief of Police of the City of Natchitoches; and

NOW THEREFORE BE IT ORDAINED by the City Council of the City of Natchitoches, Louisiana, as follows:

SECTION 1. Section 28-40 of the Code of Ordinance of the City of Natchitoches is hereby amended and reenacted to read as follows:

“Section 28-40. Requirements for numbering.

“(a) The number assigned to each building pursuant to this article shall be displayed by the owner or occupant on the front of the building or in the front yard of the lot on which the building stands in numerals of such size not less than three inches in height and so located as to be clearly visible to persons passing by the premises on the abutting street. At no time shall the owner or occupant of the home allow the posted numbers be obscured by shrubbery, growth, trash, or otherwise.

(b) Penalties for the violation of this section shall be as follows:
The first violation of this Section shall be punished by a fine not exceeding \$50.00 to the property owner.

If a property remains in violation twenty days after a first violation a second violation will occur, which shall be punished by a fine not exceeding \$200.00 to the property owner.”

SECTION 2. All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

SECTION 3. If any portion of this Ordinance is declared to be invalid or unconstitutional in any manner, the invalidity shall be limited to that particular section or provision, and shall not affect the remaining portions of the ordinance, which shall remain valid and enforceable, it being the intention of the City Council that each separate provision shall be deemed independent of all other provisions herein.

SECTION 4. This Ordinance shall go into effect upon publication and in accordance with law.

Chief Dove explained that in the case of an emergency, if they cannot find the location then emergency personnel cannot help.

Ms. Precious Barber introduced herself. She asked if a certain location does not have numbering, can they be fined? If this is the case, then there are a number of people who simply cannot afford to purchase numbering on a fixed income. Ms. Morrow asked if there were grant funds available for the purchase of numbering.

Ms. Fowler stated that every citizen in the City has an address and we are simply asking that they display the address. The primary reason is for emergency services. It is important they be found.

Mayor McCullen stated the Ordinance stands introduced at this time and will be back on the agenda in two weeks for final approval.

The Mayor asked if there was any further business to be brought before the Council.

Ms. Morrow stated that there are a number of political signs located on the City property which need to be removed and asked Ms. Juanita Fowler and the Council to send correspondence to these persons requesting that they remove their signs from the City property.

There being none, Mr. McCain made a motion to adjourn the meeting, Mr. Payne seconded the motion, and the meeting was adjourned at 8:40 p.m.


WAYNE McCULLEN
MAYOR


DON MIMS
MAYOR PRO TEMPORE